

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

GERARDO VILLALPANDO,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-15-889-D
)	
ENID POLICE DEPT., <i>et al.</i> ,)	
)	
Defendants.)	

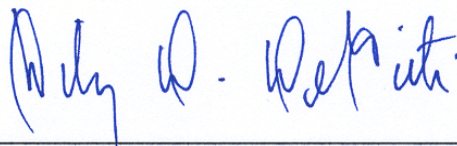
ORDER

This matter is before the Court for review of the Report and Recommendation issued by United States Magistrate Judge Suzanne Mitchell pursuant to 28 U.S.C. § 636(b)(1)(B). Judge Mitchell recommends a dismissal of this action without prejudice due to Plaintiff's failure to pay the initial partial filing fee of \$8.14 required by 28 U.S.C. § 1915(b)(1). Payment was originally due October 13, 2015, and by subsequent orders, no later than November 19, 2015.

Plaintiff has neither filed a timely objection to the Report nor requested additional time to object, although he was advised of his rights and given notice of the waiver rule. Under the circumstances shown by the case record, the Court finds that Plaintiff has waived further judicial review. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 East 30th Street*, 73 F.3d 1057, 1060 (10th Cir. 1996).

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 17] is adopted in its entirety. This action is DISMISSED WITHOUT PREJUDICE to refiling. A judgment of dismissal shall be entered.

IT IS SO ORDERED this 29th day of December, 2015.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE